

## Section-by-Section Comparison Chart

Change Code:

R = revised

D = deleted

A = addition

Type of Change	Date of Change	New or Revised Section(s)	Reason for Change
R	4/4/2006	New Bankruptcy Cases	Change made to reflect filing fees effective 4/9/06.
A	10/17/05	Adversarial Complaints	Information added regarding Corporate Ownership Statement form.
R	10/17/05	Amended Chapter 13 Plan and Amended Chapter 12 Plan	Revised electronic filing section as to amended 13 plans on 2005 Act cases.
R	10/17/05	Motion to Avoid Lien	Revised electronic filing section to include motion to avoid lien on household goods.
R	10/17/05	Motion to Deconsolidate	Change made to reflect filing fees effective 10/17/05 and revised the electronic filing section as to deconsolidating a chapter 7 and chapter 13 case (separate entries).
R	10/17/05	New Bankruptcy Cases	Modified documents required for filing to reflect 3 page voluntary petition form.
R	10/17/05	New Bankruptcy Cases	Change made to reflect filing fees effective 10/17/05 and added the chapter 15 filing fee.
R	10/17/05	New Bankruptcy Cases	Revised information concerning paying filing fee in installments and added information concerning in forma pauperis filing.
A	10/17/05	New Bankruptcy Cases	Added information concerning filing certificate of credit counseling, debt repayment plan, intent to cure default and running the Judge/Trustee assignment.

A	10/17/05	New Bankruptcy Cases	Added information concerning statistical fields in case opening including means check box, health care business and chapter 11 small business.
A	10/17/05	Application to Sell	Added information concerning personally identifiable property.
R	10/17/05	Objection to Claim and Notice of Hearing in a Chapter 13 Case	Revised certification of service information in the event objection to claim is of a federal government agency.
A	10/17/05	General Information	Added information regarding 2005 Bankruptcy Act on Court's Internet Web Site.

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## ADVERSARIAL COMPLAINTS

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**DOCUMENTS REQUIRED FOR FILING:** Adversarial complaint. The electronically filed document shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe. Note: Exhibits (e.g., leases, promissory notes, mortgages, titles) **shall not** be filed electronically. Instead, a Summary of Exhibits shall be prepared that enumerates and briefly describes each exhibit. The Summary of Exhibits shall be filed electronically as the last page of the complaint, if applicable. Exhibits shall be mailed to interested parties. The Summary of Exhibits is available from the Forms Library web page.

**TYPE OF NOTICE:** Not applicable.

**HEARING DATE:** Not applicable.

**TYPE OF CERTIFICATION OF SERVICE:** Not Required.

**PROPOSED ORDER:** None.

**FILING FEE:** \$250.00. No fee is required if plaintiff is the chapter 7, 12 or 13 debtor. The filer will be prompted to pay the filing fee online by entering their credit card information. After submitting the credit card information, the filing fee will be paid via the Internet directly to the U.S. Treasury, a transaction receipt will be displayed, and the receipt number will be docketed in the case immediately.

**ELECTRONIC FILING:** The adversarial complaint PDF document is filed under Adversary Event of Open an AP Case. When filing the adversary, the filer is prompted with the following question: "**Is plaintiff Chapter 7, 12 or 13 debtor, Trustee, or U.S. Government?**" If applicable, enter a lowercase "y". If the plaintiff is not a Chapter 7, 12 or 13 debtor, Trustee or U.S. Government party enter a lower case "n".

Upon opening a new adversary case, the summons will automatically be docketed as document #2 and the deadline to file answer(s) will be set automatically. There will be a link to the Summons Issued. Click the link to display and print the electronic summons.

**NOTE:** Bankruptcy Rule 7007.1 requires any corporation that is a party to an adversarial proceeding, other than a governmental unit, to file, with its first pleading, a corporate ownership statement. This statement identifies those corporations that directly or indirectly own 10% or more of any class of the corporation's equity interests. If there are no such entities to report, the statement must so indicate. If the debtor is the corporation, the corporate ownership statement must be filed in the bankruptcy case and is not required to be filed again in the adversarial proceeding. A sample corporate ownership statement is available from the Forms Library web page.

## **AMENDED CHAPTER 13 PLAN AND AMENDED CHAPTER 12 PLAN**

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**DOCUMENTS FOR FILING:** Amended plan, notice fixing time to object to amended plan and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Served on all creditors and parties in interest, allowing 20 days from the service date for objections to be filed.

**HEARING DATE:** Not applicable. A hearing will be set by the Court if an objection is filed.

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the amended plan and notice have been mailed this date to all creditors and parties in interest as listed on debtor(s) matrix; or you may list the name and address of each person/entity served. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

If the claims bar date has expired, you have the option of mailing the amendment and notice to only those creditors who have filed claims. If this option is selected, the certificate of service shall state that the amended plan and notice have been mailed this date to parties in interest and creditors who have filed claims; or list the name and address of each person/entity served.

A list of claimants can be obtained from PACER. Information on PACER can be obtained by accessing the Court's Internet web site at <http://www.ilsb.uscourts.gov> and selecting the Pacer Information.

**PROPOSED ORDER:** None.

**FILING FEE:** None.

**ELECTRONIC FILING:** The amended chapter 13 plan and certificate of service PDF document is filed under Bankruptcy Event of Plan, then Amended Chapter 13 Plan after Act of 2005. Create the deadline for objections when docketing this entry.

An amended chapter 12 plan PDF document is filed under Bankruptcy Event of Plan, then Amended Chapter 12 Plan. The notice with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice Fixing Time Obj 12 Plan.

## AMENDED SCHEDULES

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**DOCUMENTS REQUIRED FOR FILING:** Amended schedule and certificate of service. When amending schedule D, E, or F the document must also include an amended matrix and verification of matrix. The amended matrix should list only creditors that have been added or revised.

The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Not applicable.

**HEARING DATE:** Not applicable.

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the amended schedule(s) has been mailed this date to parties in interest and all entities affected by the amendment, listing the name and address of each person/entity served. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail. Note: If adding a creditor after the 341 meeting notice has been issued, a copy of the 341 meeting notice shall be mailed to the newly listed creditor(s).

**PROPOSED ORDER:** None.

**FILING FEE:** \$26.00 per amended schedule D, E and F (unless the amendment is to change the address of a creditor or an attorney for a creditor listed on the schedules or to add the name and address of an attorney for a listed creditor). The filer will be prompted to pay the filing fee online by entering their credit card information. After submitting the credit card information, the filing fee will be paid via the Internet directly to the U.S. Treasury, a transaction receipt will be displayed, and the receipt number will be docketed in the case immediately.

**ELECTRONIC FILING:** The amended schedule D, E, or F, amended matrix, verification thereof, and certificate of service PDF document is filed under Bankruptcy Event of Other, then Amended Schedules (D, E, and F)(Fee). Each amended schedule D, schedule E and schedule F must be **filed separately** in CM/ECF. Additional creditors matrix should be uploaded under Bankruptcy Event of Creditor Maintenance, Upload a Creditor Matrix File. The amended matrix, with only the additional creditor(s) listed, must be saved in ASCII text format (a .txt file) before uploading. Note: If the amended schedule D, E, or F does not require a filing fee, it should be filed under Bankruptcy Event of Other, then Amended Schedules (no fee). Any other amended schedules not requiring a filing fee would also be filed in this manner.

# APPLICATION TO COMPROMISE CONTROVERSY

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**DOCUMENTS REQUIRED FOR FILING:** Application to compromise controversy, notice of application and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Served on all creditors and parties in interest allowing 20 days from the service date for objections to be filed.

**HEARING DATE:** Not applicable. A hearing will be set by the Court if an objection is filed.

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the application and notice have been mailed this date to all creditors and parties in interest as listed on debtor(s) matrix; or the name and address of each person/entity served may be listed. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDER:** A proposed order shall be submitted when an application to compromise controversy is electronically filed. Proposed orders are submitted via e-mail to [ESTLorders@ilsb.uscourts.gov](mailto:ESTLorders@ilsb.uscourts.gov) for cases starting with a 3 after the year or to [BENTONorders@ilsb.uscourts.gov](mailto:BENTONorders@ilsb.uscourts.gov) for cases starting with a 4 or 6 after the year. Proposed orders are to be in Word or WordPerfect format and saved as an attachment to the e-mail message.

**FILING FEE:** None.

**ELECTRONIC FILING:** If filing in a bankruptcy case, the application to compromise controversy PDF document is filed under Bankruptcy Event of Motions/Applications, then Compromise Controversy. The notice of application with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice of Motion.

If filing in an adversary case, the application to compromise controversy PDF document is filed under Adversary Event of Motions, then Compromise Controversy. The notice of application with certificate of service PDF document is filed under Adversary Event of Notices, then Notice of Motion.

# MOTION FOR RELIEF FROM THE AUTOMATIC STAY

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**DOCUMENTS REQUIRED FOR FILING:** Motion for relief from the automatic stay, notice of motion and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

Multiple pleadings are **not accepted**. The motion must request relief from stay only although motion for relief from stay and abandonment and motion for relief from stay or in the alternative, adequate protection, are acceptable for filing.

Note: Exhibits (e.g., leases, promissory notes, mortgages, titles) **shall not** be filed electronically. Instead, a Summary of Exhibits shall be prepared that enumerates and briefly describes each exhibit. The Summary of Exhibits shall be filed electronically as the last page of the motion, if applicable. Exhibits shall be mailed to interested parties. The Summary of Exhibits is available from the Forms Library web page.

**TYPE OF NOTICE:** Served on parties in interest allowing 15 days from the service date for objections to be filed, and containing preliminary hearing information in the event an objection is filed.

**HEARING DATE:** The preliminary hearing date may be obtained for a motion for relief from stay by accessing the Court's Internet web site at <http://www.ilsb.uscourts.gov>. Be sure to select a hearing date that will be held within 30 days from the motion filing date.

You may also obtain a preliminary hearing date by calling the Clerk's office. The number to call for cases starting with a 3 after the year is (618) 482-9400. The number to call for cases starting with a 4 or 6 after the year is (618) 435-2200. The following information will be needed when calling for a preliminary hearing date:

- the bankruptcy case number
- the date that the motion and notice will be electronically filed and mailed

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the motion for relief from automatic stay and notice of motion have been mailed this date to parties in interest by listing the name and address of each person/entity served. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDER:** Submit a proposed order for relief from the co-debtor stay, relief from stay



and co-debtor stay, for annulment of the automatic stay, or if submitting an order that is agreed or consented to. The proposed order must be submitted at the time of filing one of the above-mentioned motions. Proposed orders are submitted via e-mail to [ESTLorders@ilsb.uscourts.gov](mailto:ESTLorders@ilsb.uscourts.gov) for cases starting with a 3 after the year or to [BENTONorders@ilsb.uscourts.gov](mailto:BENTONorders@ilsb.uscourts.gov) for cases starting with a 4 or 6 after the year. Proposed orders are to be in Word or WordPerfect format and saved as an attachment to the e-mail message.

**FILING FEE:** \$150.00. The filer will be prompted to pay the filing fee online by entering their credit card information. After submitting the credit card information, the filing fee will be paid via the Internet directly to the U.S. Treasury, a transaction receipt will be displayed, and the receipt number will be docketed in the case immediately.

Exceptions to the filing fee are as follows:

- (1) Federal Agencies, RTC, Child Support Creditor or its representative (must have child support creditor affidavit). This Court has waived the filing fee with regard to St. Clair County on behalf of their taxing agency - a separate motion requesting that the fee be waived must be filed with the motion and notice.
- (2) Motion for Relief from Co-Debtor Stay. (Motions which include relief from the debtor stay will require the filing fee paid).
- (3) Stipulation/Agreement for Relief from the Automatic Stay
- (4) Motion is an Amended Motion. This must actually be an amended motion.

**NOTE:** A “Notice of Motion” must comply with the following sample.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

In Re:

In  
Proceedings  
Under  
Chapter \_\_

(Debtors)

Case No.

(Movant)

(Respondents)

**NOTICE OF MOTION FOR RELIEF FROM AUTOMATIC STAY, PROVISION  
DIRECTING RESPONSE THERETO, AND SETTING HEARING ON OBJECTIONS, IF  
ANY**

The above captioned persons shall take notice that a motion or other request to lift the automatic stay in the above captioned bankruptcy has been mailed this date to the \*\_\_\_\_\_. A copy attached hereto.

Any objections to the attached motion must be filed with the Court on or before the \*(1) day of \_\_\_\_\_, 19\_\_, with a copy forwarded to \_\_\_\_\_\*(2)\_\_\_\_\_.

If no objections to the relief sought are timely filed, the Court will enter an order granting the motion.

In the event an objection is filed, a preliminary hearing on the motion will be held before the Court at \_\_\_a.m./p.m. on the day of \_\_\_\_\_, 200\_\_, at the U.S. Bankruptcy Court \_\_\_\_\_\_. If a party fails to appear in person or by counsel, the Court may proceed with the scheduled hearing and may enter an appropriate order or judgment, including dismissal of the pending motion.

\*Insert appropriate Clerk's Office:

U. S. Bankruptcy Court for the Southern District of Illinois, 750  
Missouri Avenue, East St. Louis, Illinois 62201

U.S. Bankruptcy Court for the Southern District of Illinois, 301  
West Main Street, Benton, Illinois 62812

\*(1) fifteen (15) days from date of service

\*(2) insert movant(s) name and address

**ELECTRONIC FILING:** The motion for relief from stay PDF document is filed under Bankruptcy Event of Motions/Applications, then Relief from Stay. If the motion also contains a request for abandonment, both the “Relief from Stay” and “Abandonment” options are selected from the menu. This is done by selecting first the option “Abandonment” and while holding down the control key, selecting “Relief from Stay”.

When filing a motion for relief from stay, the filer will be prompted to answer the following question: “ **Is this for Relief from Co-Debtor Stay ONLY or Child Support Creditor or Is this an AMENDED, AGREED or CONSENTED motion or is the filer the US Government?**” If correct, answer with a lowercase “y”, as there is no filing fee due for this motion. If none apply, answer with a lowercase “n”, and the filer will be prompted to pay the filing fee on-line.

When filing a motion for relief from stay and abandonment, the filer will be prompted with the following additional question: “**Is this motion being filed with a motion for relief from stay?**” If the movant is filing a motion for relief from stay that also contains a request for abandonment, the question should be answered with a lowercase “y”. The filer will be prompted to pay the \$150.00 filing fee on-line.

The notice of motion with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice of Motion.

## MOTION TO AVOID LIEN

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**DOCUMENTS REQUIRED FOR FILING:** Motion to avoid lien, notice of motion and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Served on parties in interest allowing 20 days from the service date for objections to be filed.

**HEARING DATE:** Not applicable. A hearing will be set by the Court if an objection is filed.

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the motion to avoid lien and notice of motion have been mailed this date to the parties in interest by listing the name and address of each person/entity served. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDER:** None

**FILING FEE:** None

**ELECTRONIC FILING:** The motion to avoid lien PDF document is filed under Bankruptcy Event of Motions/Applications, then Avoid Lien. If this is a motion to avoid lien on household goods under §522(f)(1)(B)(i), the PDF document is filed under Bankruptcy Event of Motions/Applications, then Avoid Lien on Household Goods. The notice of motion with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice of Motion.

# **MOTION TO CONVERT CHAPTER 13 PETITION TO CHAPTER 7**

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**DOCUMENTS REQUIRED FOR FILING:** Motion to convert to chapter 7 and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Not applicable.

**HEARING DATE:** Not applicable. A hearing will be set by the Court if required.

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the motion to convert has been mailed this date to parties in interest by listing the name and address of each person/entity served. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDER:** None.

**FILING FEE:** \$15.00. The filer will be prompted to pay the filing fee online by entering their credit card information. After submitting the credit card information, the filing fee will be paid via the Internet directly to the U.S. Treasury, a transaction receipt will be displayed, and the receipt number will be docketed in the case immediately.

**ELECTRONIC FILING:** The motion to convert a chapter 13 petition to chapter 7 with certificate of service PDF document is filed under Bankruptcy Event of Motions/Applications, then Convert Case to 7.

# MOTION TO DECONSOLIDATE

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**DOCUMENTS REQUIRED FOR FILING:** Motion to deconsolidate and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Not applicable.

**HEARING DATE:** Not applicable.

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the motion to deconsolidate has been mailed this date to the parties in interest by listing the name and address of each person/entity served. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDER:** A proposed order shall be submitted when the motion to deconsolidate is electronically filed. Proposed orders are submitted via e-mail to [ESTLorders@ilsb.uscourts.gov](mailto:ESTLorders@ilsb.uscourts.gov) for cases starting with a 3 after the year or to [BENTONorders@ilsb.uscourts.gov](mailto:BENTONorders@ilsb.uscourts.gov) for cases starting with a 4 or 6 after the year. Proposed orders are to be in Word or WordPerfect format and saved as an attachment to the e-mail message.

<b>FILING FEE:</b> Chapter 7 - \$220.00	Chapter 13 - \$150.00
Chapter 12 - \$200.00	Chapter 11 - \$1,000.00

The filer will be prompted to pay the filing fee online by entering their credit card information. After submitting the credit card information, the filing fee will be paid via the Internet directly to the U.S. Treasury, a transaction receipt will be displayed, and the receipt number will be docketed in the case immediately.

**ELECTRONIC FILING:** The motion to deconsolidate with certificate of service PDF document is filed under Bankruptcy Event of Motions/Applications, then Deconsolidate Chapter 7 case, Deconsolidate Chapter 13 case, Deconsolidate Chapter 12 case or Deconsolidate Chapter 11 case, as appropriate.

# MOTION TO TERMINATE GARNISHMENT

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**DOCUMENTS REQUIRED FOR FILING:** Motion to terminate garnishment, notice of motion and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Served on parties in interest allowing 20 days from the service date for objections to be filed, and containing a hearing date, time and location in the event an objection is filed.

**HEARING DATE:** To obtain a hearing date, call the Clerk's office. The number to call for cases starting with a 3 after the year is (618) 482-9400. The number to call for cases starting with a 4 or 6 after the year is (618) 435-2200. The following information will be needed when calling for the hearing date:

- the bankruptcy case number
- the date that the motion and notice will be electronically filed and mailed

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the motion to terminate garnishment and notice of motion have been mailed this date to the parties in interest by listing the name and address of each person/entity served, including the judgment creditor and debtor's employer. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDER:** A proposed order shall be submitted when the motion to terminate garnishment is electronically filed. Proposed orders are submitted via e-mail to [ESTLorders@ilsb.uscourts.gov](mailto:ESTLorders@ilsb.uscourts.gov) for cases starting with a 3 after the year or to [BENTONorders@ilsb.uscourts.gov](mailto:BENTONorders@ilsb.uscourts.gov) for cases starting with a 4 or 6 after the year. Proposed orders are to be in Word or WordPerfect format and saved as an attachment to the e-mail message.

**FILING FEE:** None.

**ELECTRONIC FILING:** The motion to terminate garnishment PDF document is filed under Bankruptcy Event of Motions/Applications, then Terminate Garnishment. The notice of motion with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice of Motion.

## NEW BANKRUPTCY CASES

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**DOCUMENTS REQUIRED FOR FILING:** Voluntary petition. The voluntary petition shall bear a signature by the debtor(s) and the attorney for the debtor(s). The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe. The minimum-filing requirement is the voluntary petition and signature pages (3 pages), the statement of social security number along with the creditors matrix being uploaded.

**TYPE OF NOTICE:** Not applicable.

**HEARING DATE:** Not applicable.

**TYPE OF CERTIFICATION OF SERVICE:** Not applicable. However, pursuant to Standing Order 02-1, in chapter 7 cases, within 5 days of the filing of the bankruptcy petition, debtor (if pro se) or counsel for debtors shall serve a paper copy of the petition, schedules and statement of financial affairs to the chapter 7 trustee.

**PROPOSED ORDER:** None.

<b>FILING FEE:</b> Chapter 7 - \$299.00*	Chapter 9 - \$1,039.00
Chapter 13 - \$274.00*	Chapter 11 Railroad - \$ 1,039.00
Chapter 12 - \$239.00	Involuntary Chapter 7 - \$299.00*
Chapter 11 - \$1,039.00	Involuntary Chapter 11- \$1,039.00
Chapter 15 - \$1,039.00	

\* Effective April 9, 2006

The filer will be prompted to pay the appropriate filing fee online by entering their credit card information. After submitting the credit card information, the filing fee will be paid via the Internet directly to the U.S. Treasury, a transaction receipt will be displayed, and the receipt number will be docketed in the case immediately.

**ELECTRONIC FILING:** The voluntary petition and schedules PDF document is filed under Bankruptcy Event of Open a BK Case. The matrix .txt file (ASCII text format) is uploaded under Bankruptcy Event of Creditor Maintenance, then Upload a Creditor Matrix File. Do not include the debtor(s) or attorney for the debtor(s) on the creditor matrix.

The debtors' statement of social security number PDF document, Official Form 21, is filed under Bankruptcy Event of Other, then Statement of Social Security Number(s). The Statement of Social Security Number(s) form is available from the forms library web page. If applicable, the chapter 13 plan PDF document is filed under Bankruptcy Event of Plan, then Chapter 13 Plan.

If the debtor is a corporation, other than a governmental unit, the corporate ownership



statement PDF document is filed under Bankruptcy Event of Other, then Corporate Ownership Statement.

If the filing fee is to be paid in installments, the Application to Pay Filing Fee in Installments PDF document is filed under Bankruptcy Event of Motions/Applications, then Pay Filing Fee in Installments. Pursuant to F.R.B.P. 1006, only an individual debtor filing chapters 7, 11, 12 or 13 may pay the filing fee in installments. During case opening, the “installment” fee status must be selected.

If the chapter 7 debtor is filing an application to proceed in forma pauperis (IFP), the PDF document is filed under Bankruptcy Event of Motions/Applications, then Waive Filing Fee (IFP). During case opening, the “IFP filing fee waived” fee status must be selected.

The certificate of budget and credit counseling course PDF document is filed under Bankruptcy Event of Other, then Certificate of Credit Counseling. NOTE: If the individual debtor has a debt repayment plan, it should be included in the credit counseling course PDF.

If the petition indicates that a pre-petition judgment for possession has been obtained and that debtor may assert a right to cure is available under state law, the 1<sup>st</sup> certification under penalty of perjury to lessor/landlord with certificate of mailing can be conventionally filed with the Court or can be filed under Bankruptcy Event of Other, then Intent to Cure Default. The PDF must include a copy of the judgement for possession. The rental deposit must be submitted conventionally to the Clerk’s office in one of the following forms: certified or cashier’s check or money order made payable to the lessor/landlord.

Once the bankruptcy case has been filed and the creditors have been uploaded, the filer should run the Judge/Trustee assignment by clicking on Bankruptcy Event of Judge/Trustee Assign.

**ADDITIONAL CASE FILING NOTES:** When filing a chapter 7 case, be sure to select “no” from the asset notice drop-down menu. If filing a chapter 11, 12, or 13 case, select “yes” from the asset notice drop-down menu.

When filing a chapter 7 case, case opening has been modified to include a Means Check drop-down menu for the selection of Yes or No. This information is taken from Form B22A - Statement of Current Monthly Income and Means Test Calculation.

When filing a new petition, if the nature of business is marked “Health Care Business” on the petition, be sure to select “Health Care Business” on the case opening statistical screen.

When filing a chapter 11 case, be sure to indicate if the debtor is a small business as defined in 11 USC §101 (51D) on the case opening statistical screen by selecting “yes” from the small business drop-down menu.

**NOTE:** If the debtor is filing a chapter 13 bankruptcy and the plan is not submitted at the time of filing, the debtor or debtor’s attorney will be responsible for mailing the Chapter 13 Plan to all creditors and parties in interest. When the plan is filed electronically, a certificate of service must be included that states the plan has been mailed.

# APPLICATION TO SELL

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**DOCUMENTS REQUIRED FOR FILING:** Application to sell, notice of application and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Served on all creditors and parties in interest allowing 20 days from the service date for objections to be filed, allowing 20 days from the service date for higher bids for a private sale, and containing hearing information in the event an objection is filed.

**HEARING DATE:** To obtain a hearing date, call the Clerk's office. The number to call for cases starting with a 3 after the year is (618) 482-9400. The number to call for cases starting with a 4 or 6 after the year is (618) 435-2200. The following information will be needed when calling for the hearing date.

- the bankruptcy case number
- the date that the application to sell and notice will be electronically filed and mailed
- the auction date if it is a public sale

**TYPE OF CERTIFICATION OF SERVICE:** The certificate of service shall state that the application to sell and notice have been mailed this date to all creditors and parties in interest as listed on debtor(s) matrix; or you may list the name and address of each person/entity served. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDERS:** A proposed order shall be submitted when the application to sell is electronically filed. Proposed orders are submitted via e-mail to [ESTLorders@ilsb.uscourts.gov](mailto:ESTLorders@ilsb.uscourts.gov) for cases starting with a 3 after the year or to [BENTONorders@ilsb.uscourts.gov](mailto:BENTONorders@ilsb.uscourts.gov) for cases starting with a 4 or 6 after the year. Proposed orders are to be in Word or WordPerfect format and saved as an attachment to the e-mail message.

**FILING FEE:** None.

**ELECTRONIC FILING:** The application to sell PDF document is filed under Bankruptcy Event of Motions/Applications, then Sell. The notice of application to sell with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice of Motion.

If the Trustee is the filer, the document is filed as a Notice of Intent to Sell. The notice of intent to sell must contain all information as listed above. The PDF document is filed under Bankruptcy Event of Trustee/US Trustee, then Notice of Intent to Sell. No proposed order is required.

**NOTE:** The proposed sale or lease of personally identifiable information must include whether the sale or lease is consistent with a policy prohibiting the transfer of the information. The motion must include a request for an order directing the United States Trustee to appoint a consumer privacy ombudsman.

## **OBJECTION TO CLAIM AND NOTICE OF HEARING IN A CHAPTER 13 CASE**

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**DOCUMENTS REQUIRED FOR FILING:** Objection to claim, notice of objection to claim and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Served on parties in interest allowing 30 days for responses and containing a hearing date, time and location in the event a responsive pleading is filed.

**HEARING DATE:** The hearing date may be obtained for an objection to claim in a chapter 13 case by accessing the Court's Internet web site at <http://www.ilsb.uscourts.gov>.

You may also obtain a hearing date by calling the Clerk's office. The number to call for cases starting with a 3 after the year is (618) 482-9400. The number to call for cases starting with a 4 or 6 after the year is (618) 435-2200. The following information will be needed when calling for the hearing date:

- the bankruptcy case number
- the date that the objection to claim and notice will be electronically filed and mailed

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the objection to claim and notice have been mailed this date to parties in interest by listing the name and address of each person/entity served. The claimant and/or attorney for claimant must be served using the exact address appearing on the creditor's proof of claim. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail. NOTE: In the event the objection is to the claim of a federal government agency, the U.S. Attorney must also be served.

**PROPOSED ORDER:** A proposed order shall be submitted when the objection to claim is electronically filed. Proposed orders are submitted via e-mail to [ESTLorders@ilsb.uscourts.gov](mailto:ESTLorders@ilsb.uscourts.gov) for cases starting with a 3 after the year or to [BENTONorders@ilsb.uscourts.gov](mailto:BENTONorders@ilsb.uscourts.gov) for cases starting with a 4 or 6 after the year. Proposed orders are to be in Word or WordPerfect format and saved as an attachment to the e-mail message.

**FILING FEE:** None.

**ELECTRONIC FILING:** The objection to claim PDF document is filed under Bankruptcy Event of Claim Actions, then Objection to Claim. The notice with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice of Hearing on Objection to Claim.

**NOTE:** A “Notice of Objection to Claim” must comply with the following sample.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

In Re:

Chapter 13

(Debtors)

Case No.

(Objector)

vs.

(Respondents)

**NOTICE OF OBJECTION TO CLAIM**

An objection to your claim has been mailed this date to the U.S. Bankruptcy Court at \*\_\_\_\_\_. A copy is attached hereto.

Any response in opposition to the objection must be filed with the Court within thirty (30) days of the date of this Notice, with a copy forwarded to all interested parties. If no response is filed, the Court will enter an order sustaining the objection and disallowing or modifying the claim without further notice to any party.

If a response is filed, a hearing on the objection will be held at 9:00 a.m. on the \_\_\_\_ day of \_\_\_\_\_, 200\_\_, before the United States Bankruptcy Court, \_\_\_\_\_. If a party fails to appear in person or by counsel, the Court may proceed with the scheduled hearing and may enter an appropriate order on the objection. You will receive no further notice of the hearing.

\*Insert appropriate Clerk's Office:

U.S. Bankruptcy Court for the Southern District of Illinois, 750 Missouri Avenue, East St. Louis, Illinois 62201

U.S. Bankruptcy Court for the Southern District of Illinois, 301 West Main Street, Benton, Illinois 62812 .

# GENERAL INFORMATION

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**VOICE CASE INFORMATION SYSTEM:** Information on cases can be obtained free of charge, twenty-four hours a day, seven days a week by using the Voice Case Information System (VCIS). The number for VCIS is (618) 482-9365 or 1-800-726-5622. Case information obtained from the clerk's office requires a written request along with a \$26.00 search fee.

**INTERNET WEB SITE:** The Internet web site for the Southern District of Illinois is <http://www.ilsb.uscourts.gov>. The following information can be found on the web site:

- Filing Fees
- Local Rules
- Court Addresses/Phone Numbers
- Forms
- Court Announcements
- VCIS Instructions
- PACER Instructions
- Hearing Dates
- Administrative and General Orders
- Credit Card Payment Information
- Opinions Awaiting Publications
- Electronic Bankruptcy Noticing (EBN) Information
- Electronic Case Filing Information including:
  - ◆ General Information
  - ◆ Live Database
  - ◆ Training Database
  - ◆ Test Database
- Bankruptcy Act 2005 Information including:
  - ◆ National Creditor Registration Services
  - ◆ Tax Return Guidance
  - ◆ United States Trustee's List of Counseling and Education Providers
  - ◆ Other Miscellaneous Information and Act News

If you have comments or suggestions regarding the web site, please e-mail us at [ilsbwebmaster@ilsb.uscourts.gov](mailto:ilsbwebmaster@ilsb.uscourts.gov).

**PUBLIC ACCESS TO COURT'S ELECTRONIC RECORDS (PACER):** Information on PACER can be obtained by accessing the Court's Internet Web Site and then the PACER Information.

## COURT ADDRESSES AND PHONE NUMBERS:

- US Bankruptcy Court  
750 Missouri Avenue  
East St. Louis, IL 62201  
(618) 482-9400
- US Bankruptcy Court  
301 West Main Street  
Benton, IL 62812  
(618) 435-2200

**COURT HEARING LOCATIONS:**

- United States Bankruptcy Court  
Melvin Price Federal Building and Courthouse  
750 Missouri Avenue  
East St. Louis, IL 62201
- United States Bankruptcy Court  
Federal Courthouse  
301 West Main Street  
Benton, IL 62812